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UNITED STATES DISTRICT COURT
FOR DISTRICT OF SOUTH CAROLINA

Robert T. Samuel III

2:19-cv-01787-RMG-BM

P.O. Box 32311

Charleston, SC 29417

864.364.4315

rtsamuel3@gmail.com

Plaintiff,

v.

Federal Bureau of Investigation

935 Pennsylvania Avenue, NW

Washington, DC 20535-0001

Defendant.

COMPLAINT FOR INJUNCTIVE RELIEF

1. This is an action under the Freedom of Information Act, 5 U.S.C. § 552, to order the production of agency records concerning two complaints filed with the Internet Cybercrime Complaint Center (IC3) by the plaintiff.

2. This court has jurisdiction over this action pursuant to 5 U.S.C. § 552(a)(4)(B).

3. Plaintiff, Robert T. Samuel III, is a private citizen and is the requester of the records which defendant is now withholding. Plaintiff has requested this information for personal purposes in support of two complaints filed with the IC3 that purported hacking by unknown perpetrators. First complaint was filed on March 6, 2013 (assigned IC3# I1303062223331011), and the second complaint was filed on February 5, 2015 (assigned IC3# I1502251744269392).

4. Defendant, the FBI, is an agency of the United States and has possession of the documents that plaintiff seeks as the IC3 is a constituent component of the defendant.

5. By letter dated March 16, 2019, plaintiff requested access to records pertaining to “submission report(s); evaluation report(s); analysis/investigative report(s); and administrative report(s)” relating to the two IC3 complaints filed by plaintiff. A copy of this letter is attached as Exhibit 1.

6. By letter dated March 26, 2019, defendant acknowledged receipt of request, intent to search for record(s) and they assigned two request numbers corresponding to the two IC3 complaints filed. FOIPA Request Number 1431748-000 was assigned by the defendant to IC3 Complaint I1303062223331011 and FOIPA Request Number 1431754-000 was assigned by the defendant to IC3 Complaint I1502251744269392. A copy of this letter is attached as Exhibit 2.

7. By letter dated May 25, 2019, plaintiff did request mediation from the Office of Government Information Services (OGIS) in regards to the FOIPA request with the defendant. A copy of this letter is attached as Exhibit 3.

8. By e-mail dated June 11, 2019, defendant did request the completion of a Department of Justice (DoJ) Form 361 (Proof of Identity) by the plaintiff relating to FOIPA Request Number 1431754-000. A copy of this e-mail is attached as Exhibit 4.

9. By letter dated June 13, 2019, plaintiff acknowledged request of a completed copy of DoJ Form 361 which was enclosed with said letter. A copy of this letter is attached as Exhibit 5.

10. Plaintiff has a right of access to the requested information under 5 U.S.C. § 552(a)(3), and there is no legal basis for defendant's denial of such access.

WHEREFORE, plaintiff requests this Court:

- (1) Order defendant to provide access to the requested documents;
- (2) Expedite this proceeding as provided for in 28 U.S.C. § 1657;
- (3) Award plaintiff costs in this action, as provided in 5 U.S.C. § 552(a)(4)(E); and
- (4) Grant such other and further relief as may deem just and proper.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R T Samuel III', is written over a horizontal line.

Robert T. Samuel III

P.O. Box 32311, Charleston, SC 29417

Dated: 6/22/2019